

109TH CONGRESS  
1ST SESSION

# S. 792

To establish a National sex offender registration database, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

APRIL 14, 2005

Mr. DORGAN (for himself, Mr. SPECTER, Mr. DAYTON, Mr. COLEMAN, Mr. CONRAD, Mr. JOHNSON, Mr. LUGAR, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## A BILL

To establish a National sex offender registration database,  
and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Dru Sjodin National  
5       Sex Offender Public Database Act of 2005” or “Dru’s  
6       Law”.

7       **SEC. 2. DEFINITION.**

8       In this Act:

1           (1) CRIMINAL OFFENSE AGAINST A VICTIM WHO  
2       IS A MINOR.—The term “criminal offense against a  
3       victim who is a minor” has the same meaning as in  
4       section 170101(a)(3) of the Jacob Wetterling  
5       Crimes Against Children and Sexually Violent Of-  
6       fender Registration Act (42 U.S.C. 14071(a)(3)).

7           (2) MINIMALLY SUFFICIENT SEXUAL OF-  
8       FENDER REGISTRATION PROGRAM.—The term  
9       “minimally sufficient sexual offender registration  
10      program” has the same meaning as in section  
11      170102(a) of the Jacob Wetterling Crimes Against  
12      Children and Sexually Violent Offender Registration  
13      Act (42 U.S.C. 14072(a)).

14          (3) SEXUALLY VIOLENT OFFENSE.—The term  
15      “sexually violent offense” has the same meaning as  
16      in section 170101(a)(3) of the Jacob Wetterling  
17      Crimes Against Children and Sexually Violent Of-  
18      fender Registration Act (42 U.S.C. 14071(a)(3)).

19          (4) SEXUALLY VIOLENT PREDATOR.—The term  
20      “sexually violent predator” has the same meaning as  
21      in section 170102(a) of the Jacob Wetterling Crimes  
22      Against Children and Sexually Violent Offender  
23      Registration Act (42 U.S.C. 14072(a)).

1 **SEC. 3. AVAILABILITY OF THE NSOR DATABASE TO THE**  
2 **PUBLIC.**

3 (a) IN GENERAL.—The Attorney General shall—

4 (1) make publicly available in a registry (in this  
5 Act referred to as the “public registry”) from infor-  
6 mation contained in the National Sex Offender Reg-  
7 istry, via the Internet, all information described in  
8 subsection (b); and

9 (2) allow for users of the public registry to de-  
10 termine which registered sex offenders are currently  
11 residing within a radius, as specified by the user of  
12 the public registry, of the location indicated by the  
13 user of the public registry.

14 (b) INFORMATION AVAILABLE IN PUBLIC REG-  
15 ISTRY.—With respect to any person convicted of a crimi-  
16 nal offense against a victim who is a minor or a sexually  
17 violent offense, or any sexually violent predator, required  
18 to register with a minimally sufficient sexual offender reg-  
19 istration program within a State, including a program es-  
20 tablished under section 170101 of the Jacob Wetterling  
21 Crimes Against Children and Sexually Violent Offender  
22 Registration Act (42 U.S.C. 14071(b)), the public registry  
23 shall provide, to the extent available in the National Sex  
24 Offender Registry—

25 (1) the name and any known aliases of the per-  
26 son;

1 (2) the date of birth of the person;

2 (3) the current address of the person and any  
3 subsequent changes of that address;

4 (4) a physical description and current photo-  
5 graph of the person;

6 (5) the nature of and date of commission of the  
7 offense by the person;

8 (6) the date on which the person is released  
9 from prison, or placed on parole, supervised release,  
10 or probation; and

11 (7) any other information the Attorney General  
12 considers appropriate.

13 **SEC. 4. RELEASE OF HIGH RISK INMATES.**

14 (a) CIVIL COMMITMENT PROCEEDINGS.—

15 (1) IN GENERAL.—Any State that provides for  
16 a civil commitment proceeding, or any equivalent  
17 proceeding, shall issue timely notice to the attorney  
18 general of that State of the impending release of any  
19 person incarcerated by the State who—

20 (A) is a sexually violent predator; or

21 (B) has been deemed by the State to be at  
22 high-risk for recommitting any sexually violent  
23 offense or criminal offense against a victim who  
24 is a minor.

1           (2) REVIEW.—Upon receiving notice under  
2           paragraph (1), the State attorney general shall con-  
3           sider whether or not to institute a civil commitment  
4           proceeding, or any equivalent proceeding required  
5           under State law.

6           (b) MONITORING OF RELEASED PERSONS.—

7           (1) IN GENERAL.—Each State shall intensively  
8           monitor, for not less than 1 year, any person de-  
9           scribed under paragraph (2) who—

10                   (A) has been unconditionally released from  
11                   incarceration by the State; and

12                   (B) has not been civilly committed pursu-  
13                   ant to a civil commitment proceeding, or any  
14                   equivalent proceeding under State law.

15           (2) APPLICABILITY.—Paragraph (1) shall apply  
16           to—

17                   (A) any sexually violent predator; or

18                   (B) any person who has been deemed by  
19                   the State to be at high-risk for recommitting  
20                   any sexually violent offense or criminal offense  
21                   against a victim who is a minor.

22           (c) COMPLIANCE.—

23           (1) COMPLIANCE DATE.—Each State shall have  
24           not more than 3 years from the date of enactment

1 of this Act in which to implement the requirements  
2 of this section.

3 (2) INELIGIBILITY FOR FUNDS.—A State that  
4 fails to implement the requirements of this section,  
5 shall not receive 25 percent of the funds that would  
6 otherwise be allocated to the State under section  
7 20106(b) of the Violent Crime Control and Law En-  
8 forcement Act of 1994 (42 U.S.C. 13706(b)).

9 (3) REALLOCATION OF FUNDS.—Any funds  
10 that are not allocated for failure to comply with this  
11 section shall be reallocated to States that comply  
12 with this section.

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